

REMARKS

Claims 1-34 are pending in the application. By this response claims 1, 21, 26 and 28 are amended and claims 29-34 are new. The Applicant respectfully requests reconsideration and allowance of the application.

Statement of Substance of Interview

The Applicant thanks the Examiner for the courtesies extended at the in-person interview conducted on Thursday, May 31, 2007. During the interview, the Applicants representatives explained the embodiments of the invention and gave their interpretation of the prior art, and the Examiner provided an interpretation of how Smith may read on limitations regarding prediction points. The examiner also provided some suggestions on how to overcome the prior art of record.

Prior Art Rejections

Claims 1-9, 17, 19 and 25-28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,192,240 to Tayloe et al. (Tayloe) in view of U.S. Patent No. 6,721,572 to Smith et al. (Smith). The Applicant traverses this rejection and respectfully asserts that Tayloe and Smith do not satisfy a *prima facie* case of obviousness because all of the claimed limitations are not disclosed, taught or suggested by the references or rendered obvious by market forces or design incentives present at the time the claimed invention was made.

With specific regard to claim 1, 21, 25, 26 and 28, the cited references do not disclose or suggest **stored** data comprising a plurality of **predetermined** prediction points, wherein each prediction point is separated from an interruption point of a **no-coverage zone**, as claimed.

The Office Action recognizes that Tayloe does not disclose consulting data comprising a plurality of predetermined prediction points and cites to Smith at columns 1, 2, 3 and 11 as allegedly providing the teaching absent from Tayloe

(Office Action p. 3). However, Smith does not cure the defects of Tayloe. For example, Smith merely discusses and defines dead zones at column 1, a database of dead zone boundaries that may be queried by a mobile unit to determine if it is about to enter a dead zone at column 2, the development of two and three dimensional coordinate systems which can approximate the surface of the earth with a base station serving as the center of origin at column 3 and a mobile unit keeping track of its position relative to the dead zone boundary at column 11. Thus, the database of Smith is limited to storage of the boundaries of the dead zones themselves, whereas the rejected claims provide for predetermined and stored prediction points that are separated from the claimed no-coverage zones. For at least the foregoing reasons, claims 1, 21, 25, 26 and 28 are patentable over Tayloe and Smith.

Claims 2-9, 17, 19 and 27 depend from claims 1 and 26, and therefore also recite patentable subject matter. Accordingly, the Applicant requests that the Examiner withdraw the instant rejection.

Claims 10-16, 18, 20 and 22-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tayloe in view of Smith as applied to claims 1, 12 and 15 and in further view of U.S. Patent No. 5,995,830 to Amin et al. (Amin). The Applicant traverses this rejection and respectfully asserts that Tayloe, Smith and Amin do not satisfy a *prima facie* case of obviousness because all of the claimed limitations are not disclosed, taught or suggested by the references or rendered obvious by market forces or design incentives present at the time the claimed invention was made.

Concerning claims 1 and 21, from which the rejected claims depend, the cited references do not support the asserted rejection for at least the reason that they do not disclose or suggest stored data comprising a plurality of predetermined prediction points, wherein each prediction point is separated from an interruption point of a no-coverage zone.

The office action recognizes that Tayloe does not disclose the limitation, and as discussed above Smith also does not disclose the limitation. The defect of Tayloe and Smith is not cured by Amin. Rather, Amin teaches a wireless network reconnecting or attempting to reconnect an interrupted call and demonstrates no appreciation for predetermined or stored prediction points. For at least the foregoing reason, claims 10-16, 18, 20 and 22-24 are patentable over the Tayloe, Smith and Amin. Accordingly, the Applicant requests that the Examiner withdraw the instant rejection.

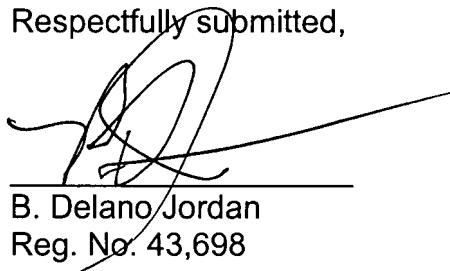
CONCLUSION

Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4226 to discuss any matter concerning this application.

The Office is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,



B. Delano Jordan
Reg. No. 43,698

Dated: June 28, 2007

By:

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax:(202) 220-4201